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5 Attorneys for Defendant
6 SMITH'S FOOD & DRUG CENTERS, INC.

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 DEREK CRISAFULLI, an Individual,
10 Plaintiff,

11 v

12 SMITH'S FOOD & DRUG CENTERS, INC.,
dba Smiths, a division of THE KROGER CO.;
13 an Ohio Corporation; DOES I through XX,
inclusive, and ROE CORPORATIONS I
14 through XX, inclusive,

15 Defendants.

Case No. 2:17-cv-01584-APG-PAL

**STIPULATION TO EXTEND DEADLINE
TO FILE RESPONSIVE PLEADING TO
MOTION TO STRIKE DEFENDANT'S
EXPERT JOSEPH J. SCHIFINI, M.D. AS
IMPROPER REBUTTAL EXPERT**

17 WHEREAS, the parties have been actively engaged in completing discovery and that
18 discovery closed on January 18, 2018;

19 WHEREAS, a dispute exists between the parties regarding the nature and content of
20 Defendant's Rebuttal Expert Disclosure;

21 WHEREAS, Plaintiff filed a Motion to Strike Defendant's Expert Joseph J. Schifini, M.D. as
22 an Improper Rebuttal Expert (hereinafter "Motion to Strike");

23 WHEREAS, Defense Counsel has a scheduling conflict as a result of a trial in the Eighth
24 Judicial District Court; and,

25 WHEREAS, the parties do not enter into the Stipulation to cause any undue delay;

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1 IT IS HEREBY STIPULATED AND AGREED, by and between Stephen G. Clough, Esq. of
2 the law firm MAIER GUTIERREZ & ASSOCIATES as counsel for Plaintiff DEREK
3 CRISAFULLI, and Jerry S. Busby, Esq., of the law firm COOPER LEVENSON, P.A., as counsel
4 for Defendant SMITH'S FOOD & DRUG CENTERS, INC., that the deadline for filing a responsive
5 pleading to the Motion to Strike be extended until Wednesday, April 18, 2018.

6 Respectfully submitted this 13th day of April, 2018.

7 MAIER GUTIERREZ & ASSOCIATES

COOPER LEVENSON, P.A.

8
9 /s/ Stephen G. Clough

10 Joseph A. Guitierrez, Esq.
11 Nevada Bar No. 9046
12 Stephen G. Clough, Esq.
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14 8816 Spanish Ridge Avenue
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Attorneys for Plaintiff
DEREK CRISAFULLI

/s/ Jerry S. Busby

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SMITH'S FOOD & DRUG CENTERS,
INC.

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17 IT IS SO ORDERED:

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19 UNITED STATES MAGISTRATE JUDGE

20 DATED: April 19, 2018
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